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EXTRAORDINARY PART II—Section 3—Sub-section(1) PUBLISHED BY AUTHORITY

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MINISTRY OF FOOD & AGRICULTURE (Department of Food)

ORDER

New Delhi, the 25th June 1958

G.S.R. 526.—Whereas, for the purpose of procurement of rice in the State of Andhra Pradesh powers under clauses (f), (h), (i) and (ii) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (10 of 1955) have been delegated to Shri K. S. Krishnan, Joint Director (Food), Government of India, Vijayawada, by the notifications of the Government of India in the Ministry of Food and Agriculture (Department of Food) No. S.R.O. 3020-A dated the 21st September, 1957 and S.R.O. 3023 dated the 24th September, 1957, and whereas for the purpose of securing the effective exercise of those powers by the said Joint Director (Food) the Central Government is of opinion that it is necessary so to do;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short Title and Extent.**—(1) This Order may be called the Andhra Pradesh Rice (Information, Inspection and Seizure) Order, 1958.

(2) It extends to the districts of East Godavari, West Godavari, Krishna and Guntur within the State of Andhra Pradesh.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

- (a) “Assistant Director” means an officer appointed as such by the Central Government to discharge the duties imposed on him under this Order and working under the administrative control of the Joint Director (Food), Government of India, Vijayawada;
- (b) “dealer” means any person who is carrying on the business of purchase, sale or storage for sale of rice in quantities of more than ten maunds at any one time whether on his own account or on account of any partnership or in association with any other person, or a commission agent or *Aratia* and includes a pledgee or pawnee of such dealer and an owner or manager of rice mill holding rice in stock;
- (c) “Quality Inspector” means an officer appointed as such by the Central Government to discharge the duties imposed on him under this Order and working under the administrative control of the Joint Director (Food), Government of India, Vijayawada;
- (d) “rice” includes broken rice and paddy; and
- (e) “specified area” means the districts of East Godavari, West Godavari, Krishna and Guntur within the State of Andhra Pradesh.

3. Power to call for any Information or Statistics.—Any Assistant Director or Quality Inspector may, by general or special order in writing, require any dealer in the specified area to furnish to him information or statistics regarding the stocks of rice he holds including the stocks pledged by him with any person, bank or co-operative society

4. Power to Direct the Production of Books, Accounts etc.—Any Assistant Director or Quality Inspector may direct any dealer within the specified area to maintain and produce for inspection by him, the books, accounts and records relating to stocks of rice held by the dealer and to furnish such information relating thereto as may be specified in the direction

5. Power to enter and search premises etc.—Any Assistant Director or Quality Inspector may, with such assistance as he may consider necessary,

- (i) inspect at all reasonable times stocks of rice held by a dealer and for that purpose enter and search any premises, vehicles, vessels, boats, or receptacles used or intended to be used for the stocking of rice, or
- (ii) stop any vehicle in respect of which the officer aforesaid has reason to believe that any of the provisions of any order or direction issued under the Essential Commodities Act, 1955 has been or is about to be contravened and enter and search such vehicle,

Provided that in the exercise of the powers of entry and search under this clause, the authorised officer shall,—

- (a) pay due regard to the social and religious customs of the occupants of the premises; and
- (b) call upon two respectable inhabitants of the locality concerned to attend and witness any such search, prepare a list of all the things taken possession of and deliver to the person or owner of the vehicle, premises, etc., so searched a copy thereof duly signed by the said witnesses.

Provided further that if any such premises be found locked up or unoccupied or unattended by or on behalf of the owner or occupier, the same may, in the presence of two witnesses be broken open and entered upon for all or any of the aforesaid purposes.

6. Power to seize stocks of rice or paddy or both.—If any stocks of rice have been, are being or are about to be sold in contravention of the provisions of any order or direction issued by the competent authority under the provisions of the Essential Commodities Act, 1955, then, without prejudice to any other penalty to which the person concerned may be liable, any Assistant Director or Quality Inspector may seize or authorise the seizure of any such stocks along with the packages, coverings or receptacles in which such stocks are found or the animals, vehicles, vessels, boats or conveyances used in carrying such stocks and thereafter take or authorise the taking of all measures necessary for securing the production of the articles so seized in a Court and for their safe custody pending such production.

[No. 208(81)/57 PY.II]

B. P. BAGCHI, Jt. Secy